

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 RUBEN J. BONTTY,

12 Plaintiff,

No. CIV S-05-0426 GEB JFM P

13 vs.

14 THE CDC, et al.,

15 Defendants.

ORDER

16 _____/
17 Plaintiff, a state prisoner proceeding pro se, has
18 filed this civil rights action seeking relief under 42 U.S.C.
19 § 1983. The matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b) (1) (B) and Local General
21 Order No. 262.

22 On April 29, 2005, the magistrate judge filed findings
23 and recommendations herein which were served on all parties and
24 which contained notice to plaintiff that any objections to the
25 findings and recommendations were to be filed within twenty days.
26

1 Plaintiff has not filed objections to the findings and
2 recommendations.

3 Although it appears from the file that plaintiff's copy
4 of the findings and recommendations was returned, plaintiff was
5 properly served. It is the plaintiff's responsibility to accept
6 service of all documents filed in this action. Pursuant to Local
7 Rule 83-182(f), service of documents at the record address of the
8 party is fully effective.

9 The court has reviewed the file and finds the findings
10 and recommendations to be supported by the record and by the
11 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
12 that:

13 1. The findings and recommendations filed April 29,
14 2005 are adopted in full; and

15 2. This action is dismissed without prejudice.

16 Dated: June 9, 2005

17
18 /s/ Garland E. Burrell, Jr.
19 GARLAND E. BURRELL, JR.
20 United States District Judge
21
22
23
24
25
26